

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Comparable to Form PTOSB/61(08-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

DAC IFW \$

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNAVOIDABLY UNDER 37 C.F.R. 1.137(a)**

<b>First Named Inventor:</b>	Schumacher, Wolfgang	<b>Atty. Docket No.:</b>	SIE6208P0020US
<b>Serial No.:</b>	09/827,633	<b>Group Art Unit:</b>	1732
<b>Filed:</b>	April 6, 2001	<b>Examiner:</b>	Kuhns, Allan
<b>Title:</b> Foam Application by an Apparatus for Two-Dimensional Travel			

Mail Stop Petitions  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

NOTE: A grantable petition requires the following items: (1) petition fee, (2) reply and/or Issue Fee, (3) terminal disclaimer with disclaimer fee (required for all utility and plant applications filed before June 8, 1995, and for all design applications), and (4) adequate showing of the cause of unavoidable delay.

1. Petition Fee:  
☐ Small Entity Fee: \$55.00. Applicant claims small entity status. (See 37 CFR 1.27).  
☒ Other than Small Entity: \$110.00
2. Reply and/or fee:  
A. The reply and/or fee to the above-noted Office Action in the form of Submission of Formal Drawings (identify the type of reply):  
☐ has been previously filed on \_  
☒ is enclosed herewith.  
B. The Issue Fee of \$  
☐ was previously paid on  
☐ is enclosed herewith.
3. Terminal disclaimer with disclaimer fee:  
☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

11/26/2004 EABUBAK1 00000090 09827633

01 FC:1452

110.00 OP

U.S.S.N. 09/827,633

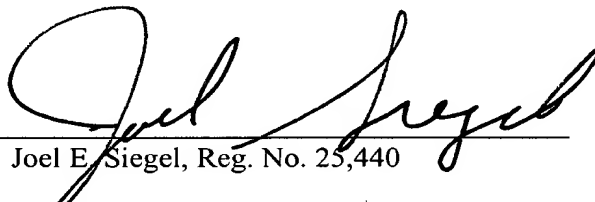
Page 1 of 3

- ☐ A terminal disclaimer and disclaimer fee of ☐ \$55.00 for a small entity, or ☐ \$110.00 for other than a small entity, disclaiming a period equivalent to the period of abandonment is enclosed herewith (see PTO/SB/63).

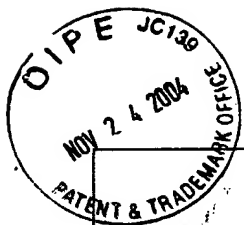
4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 C.F.R. 1.137(a) was unavoidable, is enclosed.

Enclosures: ☒ Fee Payment  
☒ Reply  
☐ Terminal Disclaimer Form.  
☐ Additional sheet containing statement establishing unavoidable delay.  
☐ Other: \_\_\_\_\_

Respectfully submitted,

By   
Joel E. Siegel, Reg. No. 25,440

WOOD, PHILLIPS, KATZ, CLARK & MORTIMER  
Citicorp Center, Suite 3800  
500 West Madison Street  
Chicago, Illinois 60661-2511  
312/876-1800



**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNAVOIDABLY UNDER 37 C.F.R. 1.137(a)**

**NOTE:** The following showing of the cause of unavoidable delay must be signed by all applicants and by any other party who is presenting statements concerning the cause of delay.

November 24, 2004

Signature

Joel E. Siegel, Reg. No. 25,440

(In the space provided below, please explain in detail the reasons for the delay in filing a proper response).

A Notice of Allowance issued in the above referenced application on April 30, 2004, indicating that the drawings filed on April 6, 2004 are acceptable to the Examiner. (Exhibit A) The issue fee was paid on June 16, 2004. (Exhibit B)

A Notice Regarding Drawings was mailed on August 3, 2004 indicating that the Official Draftsperson objected to the drawings for various reasons. (Exhibit C) The document indicated a two-month time period for correcting the drawings. During this time period, the undersigned attorney's employee and representative, Somchay Chinyavong, met with the Official Draftsman, Son Lam, to identify the drawing problems. On September 29, 2004, Mr. Lam sent an email to the undersigned attorney confirming that the drawings forwarded earlier in the day were acceptable and provided instructions to "mail in or walk-in the paper copies for official submission". (Exhibit D)

A document entitled Submission of Formal Drawings with the attached substitute formal drawings of Figs. 1-3 was sent by the undersigned attorney via Federal Express Overnight Delivery Service to his employee, Somchay Chinyavong, for walk-in filing of the drawings (and further consultation with Mr. Lam, if necessary) on September 29, 2004. (Exhibit E) The Federal Express package was correctly addressed, but did not include the suite number. The undersigned attorney of record assumed that the package had been received and the drawings had been timely filed.

The undelivered Federal Express package was returned to the undersigned attorney on October 20, 2004 in a return envelope: (Exhibit F) Despite the fact that the Federal Express package (Exhibit E) identified the correct telephone number of the addressee, Somchay Chinyavong, no telephone call was ever made to her by Federal Express. Despite the fact the Federal Express package also identified the correct telephone number of the undersigned attorney, Federal Express did not call the undersigned attorney to advise him that the package would not be delivered. While it is believed that the failure of Federal Express to timely deliver the Federal Express package may have been caused by the failure to identify a suite number, numerous Federal Express packages have previously been delivered to Ms. Chinyavong without the suite number.

It is respectfully submitted that the failure to timely file the drawings was unavoidable in that the undersigned attorney relied upon the normally trustworthy Federal Express Overnight Delivery Service to make a timely delivery of the package.



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

## NOTICE OF ALLOWANCE AND FEE(S) DUE

32116

7590

04/30/2004

WOOD, PHILLIPS, KATZ, CLARK & MORTIMER  
500 W. MADISON STREET  
SUITE 3800  
CHICAGO, IL 60661

RECEIVED  
MAY 04 2004

EXAMINER

KUHNS, ALLAN R

ART UNIT

PAPER NUMBER

1732

DATE MAILED: 04/30/2004

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/827,633	04/06/2001	Wolfgang Schumacher	SIE6208P0020US	9031

TITLE OF INVENTION: FOAM APPLICATION BY AN APPARATUS FOR TWO-DIMENSIONAL TRAVEL

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$300	\$1630	07/30/2004

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

## HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above; or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

☐ Applicant claims SMALL ENTITY status.  
See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

EXHIBIT

A



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/827,633	04/06/2001	Wolfgang Schumacher	SIE6208P0020US	9031
32116	7590	04/30/2004	EXAMINER	
WOOD, PHILLIPS, KATZ, CLARK & MORTIMER 500 W. MADISON STREET SUITE 3800 CHICAGO, IL 60661			KUHNS, ALLAN R	
			ART UNIT	PAPER NUMBER
			1732	

DATE MAILED: 04/30/2004

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 276 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 276 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

# Notice of Allowability

Application No.

09/827,633

Examiner

Allan Kuhns

Applicant(s)

SCHUMACHER ET AL.

Art Unit

1732

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed March 22, 2004.
2. ☒ The allowed claim(s) is/are 1-11, 13 and 14.
3. ☒ The drawings filed on 06 April 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 042704.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. In the claims:

Claim 13, line 2, "cassettes" has been deleted and – cassette – has been inserted and "are" has been deleted and – is – has been inserted.

Claim 13, line 3, "cassettes" has been deleted and – cassette – has been inserted.

Claim 13, line 4, "attain" has been deleted and – attains – has been inserted.

Claim 13, line 5, "cassettes" has been deleted and – cassette – has been inserted.

Claim 13, line 10, "cassettes are" has been deleted and – cassette is – has been inserted.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allan Kuhns whose telephone number is (571) 272-1202. The examiner can normally be reached on Monday to Thursday from 7:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Colaianni, can be reached on (571) 272-1196. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 1732

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Allan R. Kuhns*

ALLAN R. KUHN  
PRIMARY EXAMINER AU 1732

4-28-04

<b>Interview Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/827,633	SCHUMACHER ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Allan Kuhns	1732	

All participants (applicant, applicant's representative, PTO personnel):

(1) Allan Kuhns. (3) \_\_\_\_\_.

(2) Joel Siegel. (4) \_\_\_\_\_.

Date of Interview: 27 April 2004.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.  
If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: 1 and 13.

Identification of prior art discussed: none.

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: By Examiner's Amendment, "cassettes" in claim 13 will be placed in singular form to achieve consistency with claim 1.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.



Examiner's signature, if required

## Summary of Record of Interview Requirements

### Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

### Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

#### Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

#### 37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

### Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 or Fax (703) 746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

32116 7590 04/30/2004

WOOD, PHILLIPS, KATZ, CLARK & MORTIMER  
 500 W. MADISON STREET  
 SUITE 3800  
 CHICAGO, IL 60661

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

Barbara Outlaw	(Depositor's name)
<i>Barbara Outlaw</i>	(Signature)
June 16, 2004	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/827,633	04/06/2001	Wolfgang Schumacher	SIE6208P0020US	9031

TITLE OF INVENTION: FOAM APPLICATION BY AN APPARATUS FOR TWO-DIMENSIONAL TRAVEL

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$300	\$1630	07/30/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
KUHNS, ALLAN R	1732	264-045800

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

Wood, Phillips, Katz,  
 Clark & Mortimer

2 \_\_\_\_\_  
 3 \_\_\_\_\_

## 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Siempelkamp Handling Systeme Munich, Germany

Please check the appropriate assignee category or categories (will not be printed on the patent); ☐ individual ☒ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee  
☒ Publication Fee  
☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s):

- ☒ A check in the amount of the fee(s) is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 23-0785 (enclose an extra copy of this form).

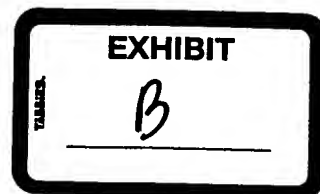
Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature) Joel E. Siegel (Date) 06-16-04  
 Reg. No. 25,440

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



TRANSMIT THIS FORM WITH FEE(S)



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NUMBER <b>09/827633</b>	FILING/RECEIPT DATE <b>04/06/2001</b>	FIRST NAMES APPLICANT <b>SCHUMACHER, WOLFGANG</b>	ATTORNEY DOCKET NUMBER <b>SIE6208P0020US</b>
--	--	--	---

WOOD, PHILLIPS, KATZ, CLARK & MORTIMER  
500 W. MADISON STREET  
SUITE 3800  
CHICAGO IL 60661

Examiner

**KUHNS, ALLAN**

Art Unit

**1732**

Paper Number

Date Mailed: 08/03/2004

### Notice Regarding Drawings

Corrected drawings for the above-identified application, received in the USPTO on **04/06/2001** are still not acceptable for the reason(s) identified on the attached PTO-948. Applicant is given one opportunity to correct the informalities within a two-month time period from the mailing date of this Notice. **THIS TIME PERIOD IS NOT EXTENDABLE UNDER EITHER 37 CFR 1.136(a) OR 1.136(b).** Failure to take corrective action within the set period will result in abandonment of the application.

ATTACHMENT: PTO-948 Notice of Draftsperson's Patent Review

#### RETURN CORRECTED DRAWINGS TO:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

RECEIVED  
AUG 09 2004

WOOD, PHILLIPS, KATZ, CLARK & MORTIMER

EXHIBIT

C

**NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW**The drawing(s) filed (insert date) 04/06/01 are:

- A. ☐ approved by the Draftsperson under 37 CFR 1.84 or 1.152.  
 B. ☒ objected to by the Draftsperson under 37 CFR 1.84 or 1.152 for the reasons indicated below. Corrected drawings are required.

**1. DRAWINGS.** 37 CFR 1.84(a): Acceptable categories of drawings: Black ink or Color (3 sets required).

☐ Color drawings are not acceptable until petition is granted. Fig(s) \_\_\_\_\_

☐ Pencil and non black ink not permitted. Fig(s) \_\_\_\_\_

**2. PHOTOGRAPHS.** 37 CFR 1.84(b)

☐ One (1) full-tone set is required. Fig(s) \_\_\_\_\_

☐ Photographs may not be mounted. 37 CFR 1.84(e)

☐ Photographs must meet paper size requirements of 37 CFR 1.84(f). Fig(s) \_\_\_\_\_

☐ Poor quality (half-tone). Fig(s) \_\_\_\_\_

**3. TYPE OF PAPER.** 37 CFR 1.84(e)

☐ Paper not flexible, strong, white, and durable.

Fig(s) \_\_\_\_\_

☐ Erasures, alterations, overwritings, interlineations, folds, copy machine marks not accepted.

Fig(s) \_\_\_\_\_

**4. SIZE OF PAPER.** 37 CFR 1.84(f): Acceptable sizes:

21.0 cm by 29.7 cm (DIN size A4) or

21.6 cm by 27.9 cm (8 1/2 x 11 inches)

☐ All drawing sheets not the same size.

Sheet(s) \_\_\_\_\_

☐ Drawings sheets not an acceptable size. Fig(s) \_\_\_\_\_

**5. MARGINS.** 37 CFR 1.84(g): Acceptable margins:

Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm

☐ Margins not acceptable. Fig(s) \_\_\_\_\_

Top (T) Left (L)

Right (R) Bottom (B)

**6. VIEWS.** 37 CFR 1.84(h)

REMINDER: Specification may require revision to correspond to drawing changes, e.g., if Fig. 1 is changed to Fig. 1A, Fig. 1B and Fig. 1C, etc., the specification, at the Brief Description of the Drawings, must likewise be changed.

☐ Views not labeled separately or properly.

Fig(s) \_\_\_\_\_

**7. SECTIONAL VIEWS.** 37 CFR 1.84(h)(3)

☐ Sectional designation should be noted with Arabic or Roman numbers. Fig(s) \_\_\_\_\_

**8. ARRANGEMENT OF VIEWS.** 37 CFR 1.84(i)

☐ Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned so that the top becomes the right side, except for graphs. Fig(s) \_\_\_\_\_

**9. SCALE.** 37 CFR 1.84(k)

☐ Scale not large enough to show mechanism without crowding when drawing is reduced in size to two-thirds in reproduction.

Fig(s) \_\_\_\_\_

**10. CHARACTER OF LINES, NUMBERS, & LETTERS.** 37 CFR 1.84(l)

☒ Lines, numbers & letters not uniformly thick and well defined, clean, durable, and black (poor line quality). Fig(s) 1-3

**11. SHADING.** 37 CFR 1.84(m)

☐ Solid black areas pale. Fig(s) \_\_\_\_\_

☐ Solid black shading not permitted. Fig(s) \_\_\_\_\_

**12. NUMBERS, LETTERS, & REFERENCE CHARACTERS.** 37 CFR 1.84(p)

☐ Numbers and reference characters not plain and legible. Fig(s) \_\_\_\_\_

☐ Figure legends are poor. Fig(s) \_\_\_\_\_

☐ Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(1) Fig(s) \_\_\_\_\_

☐ English alphabet not used. 37 CFR 1.84(p)(2) Fig(s) \_\_\_\_\_

☐ Numbers, letters and reference characters must be at least 32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3). Fig(s) \_\_\_\_\_

**13. LEAD LINES.** 37 CFR 1.84(q)

☐ Lead lines missing. Fig(s) \_\_\_\_\_

**14. NUMBERING OF SHEETS OF DRAWINGS.** 37 CFR 1.84(t)

☐ Sheets not numbered consecutively, and in Arabic numbers beginning with number 1. Sheet(s) \_\_\_\_\_

**15. NUMBERING OF VIEWS.** 37 CFR 1.84(u)

☐ Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig(s) \_\_\_\_\_

**16. DESIGN DRAWINGS.** 37 CFR 1.152

☐ Surface shading shown not appropriate.

Fig(s) \_\_\_\_\_

☐ Solid black surface shading is not permitted except when used to represent the color black as well as color contrast. Fig(s) \_\_\_\_\_

**COMMENTS:**

Reviewer LAM

If you have questions, call (703) ~~303-8404~~

308-0366

Date 08/03/04

Attachment to Paper No. \_\_\_\_\_

**Barbara Outlaw**

**From:** Lam, Son [Son.Lam@USPTO.GOV]  
**Sent:** Wednesday, September 29, 2004 1:08 PM  
**To:** Barbara Outlaw  
**Subject:** RE: [FROM JOEL E. SIEGEL] Re: S/N 09/827,633

Hi,

Figs. 1 and 2 are good and acceptable by USPTO Standards.  
Please, mail in or walk-in the paper copies for official submission.

Thanks,

Draftsman: Son Lam  
703-308-0366

-----Original Message-----

**From:** Barbara Outlaw [mailto:BOutlaw@woodphillips.com]  
**Sent:** Wednesday, September 29, 2004 3:03 PM  
**To:** Lam, Son  
**Subject:** [FROM JOEL E. SIEGEL] Re: S/N 09/827,633

Please view the attached Figs. 1 and 2 and advise as to whether they are acceptable.

Thank you,

Joel Siegel  
Wood, Phillips, Katz, Clark & Mortimer  
Citicorp Center, Suite 3800  
500 West Madison Street  
Chicago, Illinois 60661  
(312) 876-1800  
jesiegel@woodphillips.com

9/29/2004





Align top of FedEx Shipping Label or ASTRA Label here.

From Origin ID (312)876-1800  
Barbara Oullaw  
Wood Phillips et al  
500 West Madison Street  
Suite 3800  
Chicago, IL 60661



Ship Date 29SEP04  
Actual Wgt 1 LB  
System# 1926313/INET1900  
Account# S\*\*\*\*\*

REF: SHE06208P00020US



Delivery Address Bar Code

SHIP TO (703)415-0883

BILL SENDER

Somchay Chinyavong

2001 Jefferson Davis Highway

Arlington, VA 22202



PRIORITY OVERNIGHT

THU

Deliver By  
30SEP04

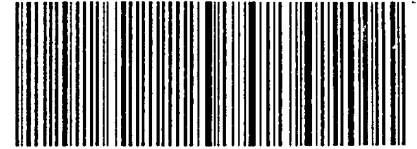
TRK# 7907 8108 7583

FORM  
0201

IAD A1

22202 -VA-US

NY NDVA



Name	
Company	
Address	
City, State, Zip	
Telephone	

*Time*

Align bottom of Peel and Stick Airbill here.

EXHIBIT

*E*

SUBMISSION OF FORMAL DRAWINGS			
<b>Docket No.:</b>	SIE6208P0020US	<b>Confirmation No.:</b>	9031
<b>Serial No.:</b>	09/827,633	<b>Filing Date:</b>	04-06-01
<b>Group Art Unit:</b>	1732	<b>Examiner:</b>	Kuhns, Allan R.
<b>Applicant(s):</b>	Wolfgang Schumacher		
<b>Invention:</b>	Foam Application By An Apparatus For Two-Dimensional Travel		

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

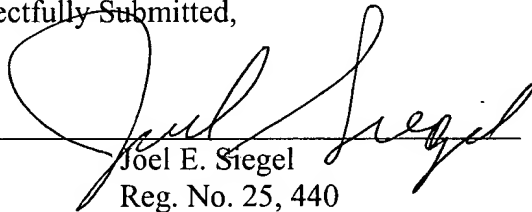
Dear Sir:

Enclosed please find for filing formal drawings in the above-identified application, which drawings have been approved by the draftsman. Each sheet of drawings indicates the identifying information as suggested in 37 CFR § 1.84(1) on the front side of the drawings. Entry into the record is respectfully requested.

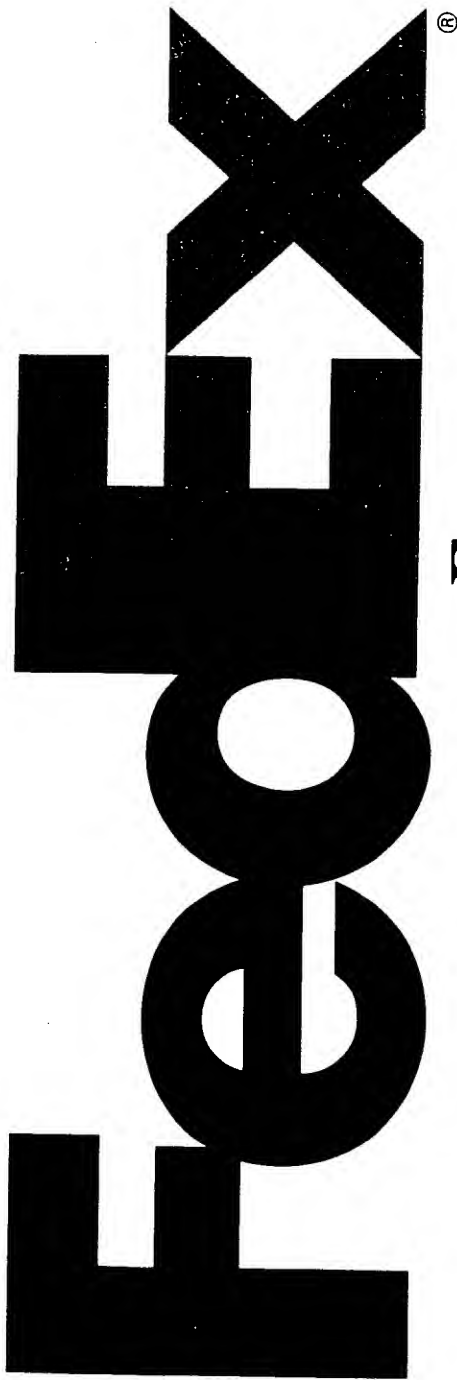
Respectfully Submitted,

Date: October 25, 2004

By:

  
Joel E. Siegel  
Reg. No. 25, 440

Attorney for Applicant  
Wood, Phillips, Katz, Clark & Mortimer  
500 West Madison Street, Suite 3800  
Chicago, IL 60661-2511  
(312) 876-1800



Align top of FedEx St

RETURNS DEPT/CUSTOMER SERV  
FEDEX /NDVA STATION  
4720 EISENHOWER AVE  
ALEXANDRIA VA 22304  
(800)238-5355

SHIP DATE: 20OCT04

ACTUAL WGT: 1 LBS MAN-VT

TO: RETURNS  
BARBARA OUTLAW  
WOOD PHILLIPS ET AL  
500 W MADISON ST STE 3800  
CHICAGO IL 60661

BILL RECIPIENT

6882 8338 3148

6882 8338 3148

REF: PREV AB 7907 8108 7583

EXPRESS SAVER PKG FRI

CAD# 0625105 20OCT04

Deliver by:

TRK# 6882 8338 3148 Form 0201

22OCT04

A1

60661 -IL-US

ORD  
LF LOTA



For Fe

*The World On Time*

Align bottom of Airbill Po

